

4-180412

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CMA CGM (AMERICA) LLC,

Plaintiff,

- against -

SILVER LINE MOTORS, and
ISMAIL ELABDALLAH,

Defendants.
-----X

CV 08-00180 (McMAHON)

AFFIDAVIT

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

ALBERT J. AVALLONE, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court, and am Counsel for plaintiff.
2. On July 9, 2008, plaintiff filed and served a motion for entry of judgment by default against both defendants. On or about July 25, 2008, defendant ISMAIL ELABDALLAH filed a Motion to Dismiss against him.
3. Plaintiff has no objection to the granting of Mr. Elabdallah's dismissal of this action against him personally.

Dated: New York, New York
August 28, 2008



Albert J. Avallone

Sworn to before me this
28th day of August, 2008



Notary Public

DOROTHY C. MERITE
Notary Public, State of New York
No. 31-4961997
Qualified in New York County
My Commission Expires 2/12/10

AFFIDAVIT OF SERVICE BY MAIL

CITY OF NEW YORK)
STATE OF NEW YORK) SS:
COUNTY OF NEW YORK)

Albert J. Avallone, being duly sworn, deposes and says that he is a member of the Law Offices of Albert J. Avallone & Associates, attorneys for plaintiff herein.

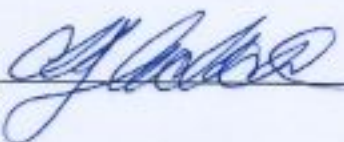
That on the 28th day of August, 2008, he served the within Affidavit

upon the following:

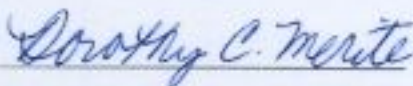
Ismail Elabdallah
2619 Shaver St.
Pasadena, TX 77501

by depositing (a) true copy(ies) of the same securely enclosed in (a) postpaid wrapper(s) in a Post Office Box regularly maintained by the United States Government at 551 Fifth Avenue, New York, NY 10176, directed to the above mentioned individual(s) at his (their) respective address(es) above, that (these) being the address(es) within the State designated by him (them) for that purpose upon the preceeding papers in this action or the place where he (they) then kept an office, between such places, there then was and now is a regular communication by mail.

Deponent is over the age of 18 years.



Sworn to before me this
28th day of August, 2008



DOROTHY C. MERITE
Notary Public, State of New York
No. 31-4661997
Qualified in New York County
My Commission Expires 2/15/10